

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5003 of 2019

Arising Out of PS. Case No.-138 Year-2018 Thana- AMAUR District- Purnia

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1. Ghulam Mohammad @ Md. Gulai @ Gulmohammad, son of Sekh Md. Badar
2. Mokarram, son of Ghulam Mohammad @ Md. Gulai
Both resident of Village - Kanhriya, P.S. - Amour, District - Purnea
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nadimul Hasan
For the Opposite Party/s : Mr. Akbar Ali

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 30-01-2019 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 427, 307, 504 and 506/34 of the Indian Penal Code.

For trivial dispute, the petitioners allegedly committed the occurrence of assault and mischief. Specific allegation against petitioner no. 2 Mokarram is of commission of injury at the head of the son of the informant.

Hence, **petitioner no. 2 Mokarram** had knowledge that his act might cause death, therefore, I am not inclined to enlarge him on anticipatory bail. Accordingly, his prayer for anticipatory bail is refused.

There is no such allegation against **petitioner no. 1**



Ghulam Mohammad @ Md Gulai @ Gulmohammad, who is father of petitioner no. 2 Mokarram, hence, let petitioner no. 1, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Amour Police Station Case No. 138 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner no. 1 shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner no. 1.

(Birendra Kumar, J)

Kundan/Rajan

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